



Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: Johann ENGELHARDT  
Serial No.: 10/618,345  
Filed: July 11, 2003  
For: SCANNING MICROSCOPE HAVING AN OPTICAL COMPONENT, AND OPTICAL  
COMPONENT

Sir:

Transmitted herewith is a Response to Office Action (8 pages) in the above-identified application.

- Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- No fee for additional claims is required.
- A filing fee for additional claims calculated as shown below, is required:

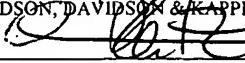
(Col. 1)		(Col. 2)		SMALL ENTITY RATE	OR	LARGE ENTITY RATE
FOR:	REMAINING	HIGHEST	PRESENT			
	AFTER	PREVIOUSLY	PRESENT			
TOTAL CLAIMS	* Minus 20	=	0			
INDEP. CLAIMS	* Minus 3	=	0			
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						
				x \$ 9   \$		x \$ 18   \$
				x \$ 44   \$		x \$ 88   \$
				+ \$150   \$		+ \$300   \$
				TOTAL: \$	OR	TOTAL: \$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- Also transmitted herewith are:
  - Petition for extension under 37 C.F.R. 1.136
  - Other: One (1) Replacement Sheet Drawing, Copy of Form PTO-1449 submitted with application July 11, 2003 (1 page)
- Check(s) in the amount of \$0.00 is/are attached to cover:
  - Filing fee for additional claims under 37 C.F.R. 1.16
  - Petition fee for extension under 37 C.F.R. 1.136
  - Other:
- The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
  - Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
  - Any patent application processing fees under 37 C.F.R. 1.17.
  - Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Cary S. Kappel, Reg. No. 36,561  
(signing for Erik R. Swanson, Reg. No. 40,833)  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
Tel: (212) 736-1940  
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 24, 2004.  
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Oliver Platz

IFW



Appl. No. 10/618,345  
Resp. dated November 24, 2004  
Reply to Office Action of August 26, 2004

Atty. Docket No. 5005.1052

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Johann ENGELHARDT  
Serial No.: 10/618,345 Confirmation No.: 5233  
Filed: July 11, 2003  
For: SCANNING MICROSCOPE HAVING AN OPTICAL  
COMPONENT, AND OPTICAL COMPONENT  
Art Unit: 2873  
Examiner: Huy K. Mai  
Customer No.: 23280

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 24, 2004

**RESPONSE TO OFFICE ACTION**

Sir:

In response to the office action dated August 26, 2004 received in the above-identified application, applicant hereby respectfully requests reconsideration of the application based on the following amendments and remarks.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Amendments to the Drawings** being on page 5 of this paper and include an attached replacement sheet.

**Remarks** begin on page 6 of this paper.

An **Appendix** including an amended drawing figure is attached following page 8 of this paper.